

DETAILED ACTION

Acknowledgements

Applicant's Amendment filed on 22 January 2008 is acknowledged.

This paper is assigned Paper No. 20080403 by the Examiner.

Status of Claims

Claims 1-18 have been examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No. **2004/0078573 A1 to Matsuyama**.

As per **claims 1-18**, Matsuyama discloses a method, system and an apparatus for authenticating an apparatus comprising:

- providing an apparatus programmed to communicate or facilitate communication at least one of within or across at least one network, wherein the apparatus is included within an organization including a plurality of apparatuses, at least one apparatus having at least one characteristic and being at least one of a plurality of positions within the organization (i.e., providing a portable unit 30 such as a portable telephone or a personal digital assistant (PDA) to access to various information household appliances, various information processing terminals, or servers all of which are installed in houses from the outdoors – Abstract, [0002, 0034, 0060, 0069, 0112], fig. 6);
- providing at least one role certificate to the apparatus from a secondary certification authority (CA) processor based upon the at least one position of the apparatus within the organization, wherein the organization includes a plurality of secondary CA processors programmed to issue at least one role certificate to respective groups of apparatuses of the organization ([0077 – 0089]);
- providing at least one permission certificate to the apparatus from a tertiary CA processor based upon the at least one characteristic of the apparatus that is located at a position within the organization, wherein the organization includes a plurality of tertiary CA processors programmed to issue at least one permission certificate to respective sub-groups of apparatuses of the organization ([0077 – 0089]); and

- authenticating the apparatus at a server based upon an identity certificate, the at least one role certificate, and the at least one permission certificate of the apparatus to thereby determine whether to grant the apparatus access to at least one resource of the server ([0006 - 0012, 0126, 0128]).

Response to Arguments

Applicant's arguments filed 01/22/2008 have been fully considered but they are not persuasive. Applicant contends that the prior art (Matsuyama) does not disclose a '*position certificate*' (based on a characteristic of the apparatus located at the respective position in an organization). The Office respectfully disagrees because what the Applicant argues about is not in the claim. Furthermore, as there is no support for the "*characteristic*" of the apparatus located at the respective position in an organization, and the term is broad, thus, one of ordinary skill in the art cannot give it a reasonable interpretation.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 7,216,110.

Examiner has cited particular columns and line numbers and/or paragraph and/or page numbers in the prior arts of record as applied to the claims above in the body of this action for the convenience of the applicant. Although the specified citations are

representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to fully consider the references in its **entirety** as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to **NANCY LOAN T. LE** whose telephone number is (571) 272-7066. The examiner can normally be reached on Monday - Friday, 9am - 6:00pm Eastern Standard Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **ANDREW J. FISCHER** can be reached on (571) 272-6779.

Art Unit: 3621

For **official/regular communication**, the fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

For **informal/draft communication**, the fax number is (571) 273-7066 (Rightfax).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NANCY T. LE

Examiner, Art Unit 3621

/Jalatee Worjloh/
Primary Examiner, Art Unit 3621